

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

ZHARI J. WALTON,	:	
Plaintiff,	:	
	:	
v.	:	CIVIL ACTION NO. 24-CV-6420
	:	
MONTGOMERY COUNTY	:	
COMMUNITY COLLEGE, <i>et al.</i>,	:	
Defendants.	:	

ORDER

AND NOW, this 1st day of April, 2025, in light of *pro se* Plaintiff Zhari J. Walton's failure to file a second amended complaint in accordance with this Court's Order entered on January 30, 2025, (ECF No. 12), which informed Walton that failure to file a second amended complaint would be understood as an intention to stand on his Amended Complaint and would result in final dismissal of this case, it is **ORDERED** that:

1. Mr. Walton's case is **DISMISSED IN PART WITH PREJUDICE AND WITHOUT PREJUDICE** for failure to state a claim, pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii), as follows:

- a. All federal claims are **DISMISSED WITH PREJUDICE**.
- b. All state claims are **DISMISSED WITHOUT PREJUDICE**.
2. The Clerk of Court is **DIRECTED** to **CLOSE** this case.
3. If Walton did not intend to stand on his Amended Complaint, he must move for reconsideration of this Order in accordance with Federal Rule of Civil Procedure 59(e) and attach his proposed second amended complaint to that motion.

BY THE COURT:

/s/ Gerald Austin McHugh

GERALD A. MCHUGH, J.